

# Town of Canandaigua

5440 Routes 5 & 20 West  
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Canandaigua, NY 14424  
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## ZONING BOARD OF APPEALS DECISION NOTIFICATION

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**Public Hearing Opened:** October 18, 2022  
**Public Hearing Closed:** October 18, 2022

**Meeting Date:** October 18, 2022  
**Project:** CPN-22-068

<u><b>Applicant</b></u>	<u><b>Owner</b></u>	<u><b>Project Type</b></u>	<u><b>Project Location</b></u>	<u><b>Tax Map #</b></u>
Venezia & Associates, 5120 Laura Lane, Canandaigua, N.Y. 14424	Brett Berliner and Emma Schatoff, 4410 Middle Cheshire Road, Canandaigua, N.Y. 14424; John P. and Michelle P. Callahan, 50 Topping Drive, Riverhead, N.Y. 11901	Square Footage	Middle Cheshire Rd, Canandaigua, NY 14424	126.00-1-55.100 126.00-1-56.110 126.00-1-56.210

### **Type of Application**

☒ Area Variance      ☐ Use Variance  
☐ Interpretation      ☐ Rehearing

### **Variance/Interpretation Requested**

The square footage of accessory structures does not meet the zoning requirements in the AR-2 district. The new parcel will have 4,649 square feet of accessory structure when 3,000 square feet is the limit (*1,649 square foot area variance is needed*).

**A.) Shall the applicant be granted a 1,649 square footage area variance?**

### **Applicant Request**

☒ Granted  
☐ Denied  
☐ Continued to:

### **SEQR**

☐ Type I  
☒ Type II  
☐ Unlisted  
☐ See Attached Resolution(s)  
Neg Dec Date:  
Pos Dec Date:

☐ See attached resolution(s)

**A. Voting:**

John Casey	<input type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Bob Hilliard	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
David Emery	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Kelly LaVoie	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Chip Sahler (Chair)	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained
Shannon Chevier (Alternate)	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NAY	<input type="checkbox"/> Abstained

**Reasons**

- The benefit to the applicant does outweigh the detriment to the neighborhood and therefore the variance is granted. The decision is based upon the facts presented at the public hearing and the documents dated: 8/26/22, 9/20/22, and 10/17/22.
- It is within the character of the neighborhood as nothing is changed with regards to buildings or structures.
- While it is substantial and self-created, it does not change the neighborhood at all.
- The percent of lot coverage is well below what is required.
- No new buildings will be involved. The only change is lot line adjustments.

**Conditions**

1. The variance granted is specific to the plan presented to the Zoning Board of Appeals dated September 20, 2022. Any change in plans, shall invalidate the variance.
2. The variance is conditioned on the lot line adjustments being made within one (1) year of the date the variance is granted. Failure to do so within one (1) year shall invalidate the variance.

Certified By: Chip Sahler

Date: 10/26/22

CANANDAIGUA TOWN CLERK

OCT 26 2022

RECEIVED

*Shannon Chevier*